

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

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*Counsel for Plaintiffs-Counterclaim
Defendants Prestige Fund A, LLC, et al.*

In re:

DARYL FRED HELLER,

Debtor.

Case No. 25-11354 (JNP)

Chapter 11

PRESTIGE FUND A, LLC, *et al.*,

Plaintiffs,

v.

DARYL HELLER and HELLER CAPITAL
GROUP, LLC,

Defendants.

Adv. Pro. No. 25-01128 (JNP)

**DECLARATION OF JERRY D. HOSTETTER IN SUPPORT OF PLAINTIFFS' MOTION
TO DISMISS DARYL HELLER'S COUNTERCLAIMS
AND STRIKE PORTIONS OF HIS ANSWER**

I, Jerry D. Hostetter, hereby declare as follows:

1. I am President of Prestige Investment Group, LLC, the sole member of Prestige Funds Management, LLC, President of Prestige Funds Management II, LLC, President of Prestige Fund Management III, LLC, and President of Prestige Investment Group, LLC, the Class A Designee Manager of WC Velocity Funds Management, LLC (collectively, the “Managers”).

2. The Plaintiffs-Counterclaim Defendants in the above-captioned adversary proceeding are Prestige Fund A, LLC; Prestige Fund A II, LLC; Prestige Fund A IV, LLC; Prestige Fund A V, LLC; Prestige Fund A VI, LLC; Prestige Fund A VII, LLC; Prestige Fund A IX, LLC; Prestige Fund B, LLC; Prestige Fund B II, LLC; Prestige Fund B IV, LLC; Prestige Fund B V, LLC; Prestige Fund B VI, LLC; Prestige Fund B VII, LLC; Prestige Fund B BTM I, LLC; Prestige Fund D, LLC; Prestige Fund D III, LLC; Prestige Fund D IV, LLC; Prestige Fund D V, LLC; Prestige Fund D VI, LLC; Prestige Fund D BTM I, LLC; WF Velocity I, LLC; WF Velocity Fund IV, LLC; WF Velocity Fund V, LLC; WF Velocity Fund VI, LLC; and WF Velocity Fund VII, LLC (collectively, the “Funds”).

3. I respectfully submit this Declaration in support of the Funds’ motion for an Order: (i) dismissing under FRCP 12(b)(1) and 12(b)(6) the counterclaims in the Answer, Affirmative Defenses, and Counterclaims filed by Defendant-Counterclaim Plaintiff Daryl Heller; (ii) striking Heller’s answers to paragraphs 11-37, 39, 42-54, 67-69, 82, 84-85, 89-93, 96-98, 107-110, 116-119, 126-129, 136, and 140-141 of the Funds’ Complaint and deeming those paragraphs admitted under FRCP 12(f); and (iii) granting the Funds such other and further relief as this Court deems just and proper.

4. I state the foregoing based on my own personal knowledge.

5. The Funds are manager-managed LLCs.
6. One or more of the Mangers manages each of the Funds.
7. I have access to the membership rolls of each of the Funds.
8. Daryl Heller, the Debtor in the above-captioned bankruptcy proceeding and Defendant-Counterclaim Plaintiff in the above-captioned adversary proceeding, is not and never was a member of any of the Funds.

9. Prestige Fund A, LLC is a limited liability company organized under the laws of the Commonwealth of Pennsylvania.

10. Prestige Fund A II, LLC is a limited liability company organized under the laws of the Commonwealth of Pennsylvania.

11. Prestige Fund A IV, LLC is a limited liability company organized under the laws of the State of Delaware.

12. Prestige Fund A V, LLC is a limited liability company organized under the laws of the State of Delaware.

13. Prestige Fund A VI, LLC is a limited liability company organized under the laws of the State of Delaware.

14. Prestige Fund A VII, LLC is a limited liability company organized under the laws of the State of Delaware.

15. Prestige Fund A IX, LLC is a limited liability company organized under the laws of the State of Delaware.

16. Prestige Fund B, LLC is a limited liability company organized under the laws of the State of Delaware.

17. Prestige Fund B II, LLC is a limited liability company organized under the laws of the State of Delaware.

18. Prestige Fund B IV, LLC is a limited liability company organized under the laws of the State of Delaware.

19. Prestige Fund B V, LLC is a limited liability company organized under the laws of the State of Delaware.

20. Prestige Fund B VI, LLC is a limited liability company organized under the laws of the State of Delaware.

21. Prestige Fund B VII, LLC is a limited liability company organized under the laws of the State of Delaware.

22. Prestige Fund B BTM I, LLC is a limited liability company organized under the laws of the State of Delaware.

23. Prestige Fund D, LLC is a limited liability company organized under the laws of the State of Delaware.

24. Prestige Fund D III, LLC is a limited liability company organized under the laws of the State of Delaware.

25. Prestige Fund D IV, LLC is a limited liability company organized under the laws of the State of Delaware.

26. Prestige Fund D V, LLC is a limited liability company organized under the laws of the State of Delaware.

27. Prestige Fund D VI, LLC is a limited liability company organized under the laws of the State of Delaware.

28. Prestige Fund D BTM I, LLC is a limited liability company organized under the laws of the State of Delaware.

29. WF Velocity I, LLC is a limited liability company organized under the laws of the State of Delaware.

30. WF Velocity Fund IV, LLC is a limited liability company organized under the laws of the State of Delaware.

31. WF Velocity Fund V, LLC is a limited liability company organized under the laws of the State of Delaware.

32. WF Velocity Fund VI, LLC is a limited liability company organized under the laws of the State of Delaware.

33. WF Velocity Fund VII, LLC is a limited liability company organized under the laws of the State of Delaware.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 22nd day of July, 2025.


JERRY D. HOSTETTER